

REMARKS

Claims 2-9, 11-13, 15, 17-55, 57-60, and 63-67 remain in connection with the present application, with claims 2, 7, 11, 12, 15, 25, 35, 46, 57, and 63-67 being in independent form. Claims 1, 10, 14, 16, 56, 61, and 62 have been canceled without prejudice or disclaimer of the subject matter contained therein. **The sole amendment presented herewith is an amendment to claim 46 correcting an improper Examiner's Amendment.** Entry is of this amendment is requested.

Amendment to claim 46 under 37 C.F.R. 1. 312

With regard to claim 46, the newly submitted version of the claim correctly reflects both the Examiner's Amendment and the supplemental Examiner's Amendment, with one exception. Applicant's note that the newly amended version of the claim **DOES NOT** reflect the amendment to line 23. A **third** frequency dependent amplifier is referenced throughout the claim and **SHOULD NOT** be changed to "a **respective** frequency dependent amplifier" as indicated by the Examiner. As this change has probably been improperly made at the USPTO, the present correction of this portion of the claim, back to its original form, is submitted herewith under 37 CFR 1.312. Entry of this amendment to claim 46 is respectfully requested.

Examiner's Amendment

Applicant submits herewith clean version of the claims to ensure that the Examiner's Amendment has been entered correctly in connection with the present application. For instance, upon review of the Examiner's Amendment, it was noticed that the amendment to claim 25, line 22 was confusing. The phrase "said frequency amplifier" referred to by the Examiner was

actually “a third frequency amplifier” in the claim. From the Examiner’s notes, however, it should be clear that, similar to the amendments to claim 3, the Examiner was amending claim 25, line 22 in a similar fashion to claim 3, changing “a third frequency amplifier” to -- a third frequency dependent amplifier--. The change is correctly reflected in the clean version of the claims attached hereto.

In addition, with regard to the amendment to claim 49, the Examiner is obviously referring to line 2 of claim 49. Since this was not specified, the enclosed clean version of the claims, reflecting this change, has been submitted herewith.

With regard to the change of claim 39, it should be clear that the amendment should be made to line 6, and not line 5. Since this was not specified correctly in the Examiner’s Amendment, the enclosed clean version of the claims, reflecting this change, has been submitted herewith.

COMMENTS ON EXAMINER’S AMENDMENTS

Initially, Applicant’s wish to note that with the exception of the amendments to claims 2, 15, and 57 underlined in the Examiner’s Amendment, all other amendments to the claims are non-narrowing amendments which were not made for any reason related to patentability. These amendments were not necessary to ensure compliance with any statute and were merely made as a courtesy, in an effort to ensure consistency throughout the claims. For example, many of the claims were clear and referred to “a frequency dependent amplifier”, while sometimes referring to merely “said amplifier” in later portions of the claims. The amendments now change “said amplifier” to –said frequency dependent amplifier— in a non-narrowing fashion, to ensure

consistency throughout. Other such non-narrowing amendments include changing “gain determining” to – gain determining impedance—in claim 3; changing “attenuating circuit” to – attenuating device—in claim 11; as well as each of the other changes made to the claims, other than the underlined changes to claims 2, 15, and 57 in the Examiner’s Amendment. Each of the claims were clear as originally presented, but were amended in a non-narrowing fashion via Examiner’s Amendment ensure consistency throughout the claims.

COMMENTS ON EXAMINER’S REASONS FOR ALLOWANCE

In the Examiner’s reasons for allowance, the Examiner mentions that the Beards et al reference fails to teach or suggest at least the “another attenuating device” as now claimed in claims 2, 15, and 57, as amended by Examiner’s Amendment. While Applicant does not disagree that claims 2, 15, and 57 are allowable over the Beards et al reference in their current form, Applicant does not necessarily agree with the Examiner’s characterization of the Beards et al reference. Further, Applicant hereby reserves the right to continue prosecution of the cancelled subject matter.

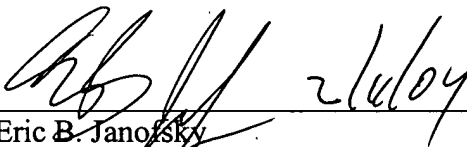
Further, Applicant notes that the Examiner’s comments apply only to claims 2, 15, and 57, and not to any other independent claim. With regard to each of the claims of the application, Applicant notes that each claim should be limited only by the terms utilized therein. Thus, Applicant hereby submits these Comments on the Examiner’s Reasons for Allowance in an effort to ensure that the claims are not improperly construed based upon limitations not present therein and/or to ensure that the claims are not interpreted so as to include any additional claim limitations.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Donald J. Daley, Reg. No. 34,313 at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 501236 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

By


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